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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/585,444	06/02/2000	Jung Won Kang	YHK-045	6857

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EXAMINER

HODGES, MATTHEW P

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 10/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/585,444

Applicant(s)

KANG ET AL.

Examiner

Matt P Hodges

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 16-22 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8 is/are allowed.
- 6) ☒ Claim(s) 9-14 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Election/Restrictions***

Applicant's election with traverse of group I in Paper No. 4 is acknowledged. The traversal is on the ground(s) that subject matter of both claimed inventions is sufficiently similar such that a thorough search of either area would encompass a search for the alternative claimed invention. Therefore the search and examination of the entire application could be made without serious burden to the examiner. (MPEP § 803) This is not found persuasive because the examiner, in order to establish reasons for insisting upon restriction after distinctness has been demonstrated, must show by appropriate explanation that the following condition is held: there is separate classification. This shows that each distinct subject has attained recognition in the art as a separate subject for the inventive effort, and also a separate field of search. (MPEP § 808.02 A) It is noted that the examiner has asserted that the inventions of Group I and Group II are distinct and that both groups are separately classified. Therefore examiner properly satisfies the criteria for establishing undue burden in accordance with MPEP § 808.02 (A).

The requirement is still deemed proper and is therefore made FINAL.

Specification

The disclosure is objected to because of the following informalities:

Page 16 line 20, the barrier ribs are labeled as 82. They should be labeled 84.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. Further the title should appear on the first page of the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 9-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Akiba (US 6,414,435).

Regarding claim 9, Akiba discloses (see figure 15) a plasma display panel including a first electrode (15), a second electrode (17) crossing the first electrode, and a dielectric pattern (18a) between the first and second electrode. (Column 18 lines 4-10). Examiner notes that the recitation of the panel being specifically a radio frequency panel in the preamble has not been given patentable weight because it is considered an intended used recitation. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed

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does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations.

Regarding claim 10, the recitation of adjusting the thickness of the dielectric pattern to control a leakage current has not been given patentable weight because is considered an intended used recitation. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. Further Akiba teaches the use of varying widths of the dielectric layer between the first and second electrode to adjust the load capacitance, total dielectric strength, and the firing potential. (Column 18 lines 33-47).

Regarding claim 11, examiner notes that the recitation of a dielectric layer entirely coated on the substrate provided with the first and second electrodes and the dielectric pattern is interpreted for the purpose of examination to mean a substrate provided with a first electrode, second electrode, and dielectric pattern, where the entirety of the substrate, electrodes, and dielectric pattern are covered with a dielectric layer. Akiba discloses the use of a dielectric layer of MgO that covers the entire substrate including both electrodes and all dielectric layers formed on the substrate or electrodes. (Column 18 lines 20-24).

Regarding claim 12, Akiba discloses (see figure 16) a dielectric pattern (18a) formed between the electrode (17) and perpendicular electrode (15) in a stripe pattern along the full length of the electrode (17).

Claims 9 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim et al. (US 4,999,541).

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Regarding claim 9, Kim discloses (see figure 3) a plasma display panel including a first electrode (Tb), a second electrode (Kb) crossing the first electrode, and a dielectric pattern (Ib) between the first and second electrode. (Column 2 line 56 – Column 3 line 4). Examiner notes that the recitation of the panel being specifically a radio frequency panel in the preamble has not been given patentable weight because it is considered an intended used recitation. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations.

Regarding claim 13, Kim discloses (see figure 3) a dielectric pattern (Ib) formed between the electrode (Kb) and perpendicular electrode (Tb) in an island pattern at all intersections of the electrodes.

Claims 9 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Betsui et al. (US 5,825,128).

Regarding claim 9, Betsui discloses (see figure 3) a plasma display panel including a first electrode (A), a second electrode (Y) crossing the first electrode, and a dielectric pattern (17) between the first and second electrode. (Column 4 lines 18-24). Examiner notes that the recitation of the panel being specifically a radio frequency panel in the preamble has not been given patentable weight because it is considered an intended used recitation. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations.

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Regarding claim 14, Betsui discloses (see figure 3) the first electrode (A) being an address electrode and the second electrode (Y) functioning as the scanning electrode. (Column 6 lines 7-13).

Allowable Subject Matter

Claims 1-8 allowed.

Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 1, and specifically comprising the limitation of a plurality of dielectric patterns formed on the substrate to have a convex surface.

Regarding claims 2-8, claims 2-8 are allowable for the reasons given in claim 1 because of their dependency status from claim 1.

Regarding claim 15, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 15, and specifically comprising the limitation of two electrodes formed separated by a dielectric pattern and further consisting of a radio frequency electrode.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Yoo (US 6,340,866) discloses a radio frequency plasma display panel with two electrodes.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matt P Hodges whose telephone number is (703) 305-4015. The examiner can normally be reached on 7:30 AM to 4:00 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (703) 305-4794. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7382 for regular communications and (703) 308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

mph 
September 30, 2002


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